

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ DEC 23 2013 ★

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SAFETY-KLEEN SYSTEMS, INC.,

Plaintiff,

-against-

SILOGRAM LUBRICANTS CORPORATION :
doing business as ROYAL LUBE CO., :

Defendant. :
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BROOKLYN OFFICE

MEMORANDUM & ORDER

12-cv-4849 (ENV) (CLP)

VITALIANO, D.J.,

On November 15, 2013, Magistrate Judge Cheryl L. Pollak issued her Report and Recommendation (“R&R”) determining that plaintiff’s motion to amend its complaint to add causes of action for fraudulent conveyance under the New York Debtor & Creditor Law and to add several new defendants be denied.

In reviewing an R&R of a magistrate judge, a district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). A district judge is required to “make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made” by any party, Fed. R. Civ. P. 72(b). But, where no timely objection has been made, the “district court need only satisfy itself that there is no clear error on the face of the record” to accept a magistrate judge’s report and recommendation. *Urena v. New York*, 160 F. Supp. 2d 606, 609–10 (S.D.N.Y. 2001) (quoting *Nelson v.*

Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).


The R&R gave proper notice that any objection must have been filed within 14 days. Neither plaintiff nor defendant has objected to Judge Pollak's R&R, much less within the time prescribed by 28 U.S.C. § 636(b)(1). In accord with the applicable standard of review, the Court finds Judge Pollak's R&R to be correct, well-reasoned, and free of any clear error. The Court, therefore, adopts it in its entirety as the opinion of the Court.

Conclusion

Accordingly, plaintiff's motion to amend its complaint is denied.

SO ORDERED.

**Dated: Brooklyn, New York
December 18, 2013**


s/Eric N. Vitaliano



ERIC N. VITALIANO
United States District Judge